

**United States District Court**  
**Eastern District of Tennessee**

UNITED STATES OF AMERICA  
v.  
PAMELA C. NESBITT

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)

Case Number: 3:07-PO-48

Defendant's Attorney

**THE DEFENDANT:**

- ☒ pleaded guilty to count(s): 1 (TE41 0860169)  
☐ pleaded nolo contendere to count(s) \_\_\_ which was accepted by the court.  
☐ was found guilty on count(s) \_\_\_ after a plea of not guilty.

**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
36 CFR 4.23 (a) 1 & 2	DUI	5/4/06	1

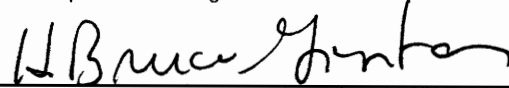
The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) \_\_\_\_.
- ☐ Count(s) \_\_\_\_ ☐ is ☐ are dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and the United States attorney of any material change in the defendant's economic circumstances.

September 12, 2007

Date of Imposition of Judgment

  
Signature of Judicial Officer

H. BRUCE GUYTON, United States Magistrate Judge  
Name & Title of Judicial Officer

9/12/07  
Date

DEFENDANT: PAMELA C. NESBITT  
CASE NUMBER: 3:07-PO-48

## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 48 hours with credit for time served.

☒ The court makes the following recommendations to the Bureau of Prisons:

The defendant be allowed to serve her sentence on weekends.

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_ ☐ a.m. ☐ p.m. on \_\_\_.

☐ as notified by the United States Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on \_.

☒ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

DEFENDANT: PAMELA C. NESBITT  
CASE NUMBER: 3:07-PO-48

## CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B. The assessment is ordered in accordance with 18 U.S.C. § 3013.

	<u>Assessment</u>	<u>Fine</u>	<u>Processing Fee</u>
Totals:	\$ 10.00	\$ 350.00	\$ 25.00

- ☐ The determination of restitution is deferred until \_\_. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.
- ☐ The defendant shall make restitution (including community restitution) to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, if the United States is a victim, all other victims, if any, shall receive full restitution before the United States receives any restitution, and all restitution shall be paid to the victims before any restitution is paid to a provider of compensation, pursuant to 18 U.S.C. § 3664.

<u>Name of Payee</u>	<u>*Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
TOTALS:	\$ _	\$ _	

- ☐ If applicable, restitution amount ordered pursuant to plea agreement \$ \_

The defendant shall pay interest on any fine or restitution of more than \$2500, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).

- ☐ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

☐ The interest requirement is waived for the ☐ fine and/or ☐ restitution.

☐ The interest requirement for the ☐ fine and/or ☐ restitution is modified as follows:

DEFENDANT: PAMELA C. NESBITT  
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## SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☒ Lump sum payment of \$ 385.00 due immediately, balance due  
    ☒ not later than 2/13/07, or  
    ☐ in accordance with ☐ C, ☐ D, or ☐ E below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ E below); or
- C ☐ Payment in \_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \$ \_ over a period of \_ (e.g., months or years), to commence \_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in \_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \$ \_ over a period of \_ (e.g., months or years), to commence \_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within \_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. Unless otherwise directed by the court, the probation officer, or the United States attorney, all criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, shall be made to **U.S. District Court, 800 Market St., Suite 130, Knoxville, TN 37902**. Payments shall be in the form of a check or a money order, made payable to U.S. District Court, with a notation of the case number.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant Name, Case Number, and Joint and Several Amount:

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

# United States District Court CVB Location Code 071586 Violation Notice 7EY1

Violation Number 0860169 Officer Name (Print) Suehn Officer No 312

YOU ARE CHARGED WITH THE FOLLOWING VIOLATION  
Date and Time of Offense (mm/dd/yyyy) 05/04/07 2207 Offense Charged 36 CFR 4.23(a)(2)

Place of Offense 4793  
US44 Northbound Spur @ Beech Branch

Offense Description DUI, Physical Contact 11/01  
Vehicle w/ BAC 50.08%

270000

DEFENDANT INFORMATION Phone ( 866 ) 607 2734

Last Name Nesbitt First Name Pamela MI C

Street Address 221 Spring Valley Rd Apt. 3A

City Pigeon Forge State TN Zip Code 37863 Date of Birth (mm/dd/yyyy) 07/21/1954

Drivers License No 111778795 D.L. State TN Social Security No 435-90-1352

Vehicle Description VIN 233FC2 State TN Year 94 Make/Model Chevy Caprice Color White

A IF BOX A IS CHECKED, YOU MUST APPEAR IN COURT SEE INSTRUCTIONS (on back of yellow copy)  
B IF BOX B IS CHECKED, YOU MUST PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT SEE INSTRUCTIONS (on back of yellow copy)

Forfeiture Amount \$ + \$25 Processing Fee  
Total Collateral Due \$

PAY THIS AMOUNT -> YOUR COURT DATE

Court Address Date (mm/dd/yyyy) Time (hh mm)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.  
X Defendant Signature Not Available

## STATEMENT OF PROBABLE CAUSE (For issuance of an arrest warrant or summons)

I state that on May 04, 2007 while exercising my duties as a law enforcement officer in the Eastern District of Tennessee

While on patrol within the boundary of the Great Smoky Mountains National Park, I responded to a single car MVA on the Northbound Spur at Beech Branch Road. Upon arrival I found the Gatlinburg Fire Department medics treating the driver of an overturned 1994 Chevy Caprice. The driver was identified as Pamela Nesbitt by her IN DL. I spoke with Nesbitt and noticed a strong smell of alcoholic beverage, glassy bloodshot eyes and her speech was slurred. Nesbitt stated that she was not normally a drinker, but she had consumed several beers at a party for her friend. She had just left the party prior to the wreck. Due to the severity of the accident, Nesbitt was transported to UT Hospital for evaluation. Ranger H Hamilton assisted with the interview at the Hospital. Nesbitt again stated that she had consumed several beers at a party. I requested a Legal Blood Draw while at UT. I then submitted the sample to TBI for analyzing. The Official Alcohol Report was issued from TBI on May 30, 2007. The report stated that NESBITT's blood registered 0.19% for Ethyl Alcohol.

The foregoing statement is based upon  
X my personal observation  
X my personal investigation  
X information supplied to me from my fellow officer's observation  
X other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.  
Executed on 05/04/2007  
Date (mm/dd/yyyy) Officer's Signature

Probable cause has been stated for the issuance of a warrant.  
Executed on Date (mm/dd/yyyy) U.S. Magistrate Judge  
CVR Scan 7/16/2007 16:41:52

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA

V

NESBITT, PAMELA C

221 SPRING VALLEY RD APT 3A

PIGEON FORGE, TN 37863

NO. TE41 0860169

AGREEMENT TO PAY FINES IN INSTALLMENTS

I have requested that I be allowed to pay my fines of \$ 385.00 in installments, as follows: TO PAY 0 TODAY AND TO PAY BALANCE OF \$385.00 BY Feb 13, 2008

cial ability to make these installment payments

costs) when due, then my failure to pay may  
return and/or suspension of my drivers licence.

Pamela C Nesbitt  
(Defendant Signature)

\_\_\_\_\_  
(Defendant's Attorney Signature)

Nesbitt

Plea: Guilty  
\$350 / 25 / 10 = + \*48 hrs.  
\$385 Jail

Requests time to pay -  
Feb 13, 2008

\*All 48-hours to be served,  
no previous time served  
(serve time on  
weekends)

PLEA AGREEMENT  
DEFENDANT CONTACT INFORMATION

DEFENDANT NAME: Pamela C NESBETT

Physical Address: 221 Spring Valley Rd #A3  
PIGEON FORGE TN 37863

Mailing Address: \_\_\_\_\_

Phone Numbers: ☐ Cell: 865-607-2734

☐ Hard Line: 865-430-7828

PLACE OF EMPLOYMENT: Alkwin Pottery

Address: 623 Glades Rd  
CATLINBURG TN ~~37733~~

Work Phone: 865-430-7828

Supervisor: ROBERT ALKWIN

NAME OF PERSON NOT LIVING WITH YOU THAT CAN BE CONTACTED IN ORDER TO REACH YOU:

NAME: ROBERT ALKWIN

Phone Number: 865-712-6888 OR 430-7828

Relationship to you: EMPLOYER

"My information on this form is true, complete, and correct to the best of my knowledge and belief and are made in good faith."

Pamela C Nesbett  
Defendant's Signature

9-12-07  
Date